

REMARKS

An Abstract of the disclosure is presented herewith on a separate sheet as requested by the Examiner. The Abstract has the same language as the Abstract on the cover page of the Published PCT application.

Claims 1-18 are pending in the application. In the Office Action at hand, Claims 1-5, 7, 8, 14 and 15 are rejected, and Claims 6, 9-13 and 16-18 are objected to.

Claims 1, 3-5 and 7 are rejected under 35 U.S.C. §102(b) as being anticipated by Pardella. In addition, Claims 1 and 3-5 are rejected under Section 102(b) as being anticipated by Chu. Claims 1-4 and 7-8 are rejected under Section 102(b) as being anticipated by Snead. Also, Claims 1 and 3-5 are rejected under Section 102(b) as being anticipated by Shimer. Furthermore, Claims 1, 3 and 4 are rejected under 35 U.S.C. § 102(e) as being anticipated by Polonio. Finally, Claims 1, 2, 4, 14 and 15 are rejected under 35 U.S.C. §102(a) as being anticipated by Araki. In Response to the Section 102(b), 102(e) and 102(a) rejections, the Applicant respectfully submits that Claims 1-5, 14 and 15, as amended, are not anticipated by Pardella, Chu, Snead, Shimer, Polonio and Araki. Reconsideration is respectfully requested.

Claim 1, as amended, recites an exercise apparatus comprising a series of elongate sections. The sections are releasably connectable to one another by way of connecting joints which allow for the sections to be connected to one another and to be positioned in various orientations relative to one another as required by an individual using the apparatus, so allowing the individual to perform exercises as required. The apparatus when assembled allows the individual to apply a force against a part of the apparatus that remains static during the application of the force. At least one section of the apparatus can be oriented relative to a first section such that a new exercise can be carried out as defined by new relative positioning of the elongate sections by a collar fastening means. The collar fastening means comprises a collar portion arranged and configured to slide over an elongate section. The collar fastening means includes locking means to removably retain the collar portion at a desired position on said elongate section. The collar fastening means further comprises biasing means arranged and configured to bias the locking means to a locked configuration.

Claim 1 has been amended to recite “wherein at least one section of the apparatus can be orientated relative to a first section such that a new exercise can be carried out as defined by new relative positioning of the elongate sections by a collar fastening means, wherein said collar fastening means comprises a collar portion arranged and configured to slide over an elongate section, and the collar fastening means includes locking means to removably retain the collar portion at a desired position on said elongate section, the collar fastening means further comprising biasing means arranged and configured to bias the locking means to a locked configuration.” Support for these amendments is found at least in cancelled Claims 7 and 8, the limitations of which are now incorporated into amended Claim 1, as well as in FIGs. 2 and 3, and on page 8, lines 11-30 of the Specification as originally filed. In addition, Claim 1 has been further amended to recite “one or more connecting joints.”

The present invention as recited in Claim 1, as amended, provides a system that is quickly and easily reconfigurable from one configuration to a second configuration simply, effectively and through the provision of an apparatus having reduced manufacturing costs. None of the cited documents either alone or in combination disclose collar fastening means as claimed, and including a collar portion arranged and configured to slide over an elongate section, and resiliently biasing means arranged and configured to bias a locking means in a locked configuration, for example, as seen in FIG. 3 and described on page 8, lines 16-30 of the specification.

Use of this apparatus is designed such that although each individual exercise is performed on the apparatus in a fixed configuration, quick movement to a new configuration ensures that a user benefits fully from the exercise. Therefore, in use, a user applies a force to the apparatus in the first configuration, and after a selected period of time, adjusts the connecting joint to the next desired configuration and applies a force on the apparatus. This is repeated through a number of steps and carrying out the exercise in this manner can ensure that no single muscle is strained by a user. A full workout of a muscle group can be therefore achieved. This type of exercise can be termed “quasi isometric” as use of an apparatus in this way provides a finite number of steps in which an isometric exercise is performed, meaning a user can exercise to their ability and strength with reduced chance of injury and also while avoiding concentrating on a specific muscle. Such an apparatus as defined in amended Claim 1 which includes the claimed collar fastening means, enables quick locking and unlocking, and as a result, quick changing of the

configuration, thereby allowing such exercise to be carried out. The prior art arrangements are not suitable for such an exercise regime due to the difficulty in reconfiguring the apparatus.

In contrast, Pardella discloses a jungle gym formed of tubular members (FIG. 1) and including lockable joints (FIGs. 9-11). The joints are securable only at the ends of the tubular members and do not slide over the tubular members for new relative positioning. Pardella does not teach or disclose collar fastening means including a collar portion arranged and configured to slide over an elongate section as claimed.

Accordingly, Claims 1, and 3-5, as amended, are not anticipated by Pardella since Pardella does not teach or suggest “wherein at least one section of the apparatus can be orientated relative to a first section such that a new exercise can be carried out as defined by new relative positioning of the elongate sections by a collar fastening means, wherein said collar fastening means comprises a collar portion arranged and configured to slide over an elongate section, and the collar fastening means includes locking means to removably retain the collar portion at a desired position on said elongate section, the collar fastening means further comprising biasing means arranged and configured to bias the locking means to a locked configuration,” as recited in base Claim 1, as amended. Reconsideration is respectfully requested.

Chu discloses an exercise apparatus formed of pipes. Some of the pipes have reduced ends for insertion and securement to mating pipes by pins or bolts. Chu does not teach or disclose collar fastening means as claimed.

Accordingly, Claims 1 and 3-5, as amended, are not anticipated by Chu since Chu does not teach or suggest “wherein at least one section of the apparatus can be orientated relative to a first section such that a new exercise can be carried out as defined by new relative positioning of the elongate sections by a collar fastening means, wherein said collar fastening means comprises a collar portion arranged and configured to slide over an elongate section, and the collar fastening means includes locking means to removably retain the collar portion at a desired position on said elongate section, the collar fastening means further comprising biasing means arranged and configured to bias the locking means to a locked configuration,” as recited in base Claim 1, as amended. Reconsideration is respectfully requested.

Snead discloses a child's building toy including a series of tubes that can be rigidly secured or locked together by a series of cam operated couplings, as seen in FIG. 2. The toy can

be connected to a water source to spray water from a series of holes in the tubes. Snead does not teach or disclose collar fastening means as claimed.

Accordingly, Claims 1-4, as amended, are not anticipated by Snead since Snead does not teach or suggest “wherein at least one section of the apparatus can be orientated relative to a first section such that a new exercise can be carried out as defined by new relative positioning of the elongate sections by a collar fastening means, wherein said collar fastening means comprises a collar portion arranged and configured to slide over an elongate section, and the collar fastening means includes locking means to removably retain the collar portion at a desired position on said elongate section, the collar fastening means further comprising biasing means arranged and configured to bias the locking means to a locked configuration,” as recited in base Claim 1, as amended. Reconsideration is respectfully submitted.

Shimer discloses an exercise stand formed from a series of pipes rigidly secured together by elbow and Tee joints. Shimer does not teach or disclose collar fastening means as claimed.

Accordingly, Claims 1 and 3-5, as amended, are not anticipated by Shimer since Shimer does not teach or suggest “wherein at least one section of the apparatus can be orientated relative to a first section such that a new exercise can be carried out as defined by new relative positioning of the elongate sections by a collar fastening means, wherein said collar fastening means comprises a collar portion arranged and configured to slide over an elongate section, and the collar fastening means includes locking means to removably retain the collar portion at a desired position on said elongate section, the collar fastening means further comprising biasing means arranged and configured to bias the locking means to a locked configuration,” as recited in base Claim 1, as amended. Reconsideration is respectfully requested.

Polonio discloses a training or gaming apparatus having channels formed from a series of fittings and pipes or tubes, interconnected together with a series of gates at selected locations. A ball 16 can travel within the interconnected gated channels. A vacuum source can be connected to fitting 58 to provide air flow within the channels. Polonio does not teach or disclose collar fastening means as claimed.

Accordingly, Claim 1, 3 and 4, as amended, are not anticipated by Polonio since Polonio does not teach or suggest “wherein at least one section of the apparatus can be orientated relative to a first section such that a new exercise can be carried out as defined by new relative positioning of the elongate sections by a collar fastening means, wherein said collar fastening

means comprises a collar portion arranged and configured to slide over an elongate section, and the collar fastening means includes locking means to removably retain the collar portion at a desired position on said elongate section, the collar fastening means further comprising biasing means arranged and configured to bias the locking means to a locked configuration,” as recited in base Claim 1, as amended. Reconsideration is respectfully requested.

Araki discloses a jungle gym having connecting bars connected together by threaded joints 4a/4b in FIGs. 6E and 6D, and can have hinges 1 for folding or collapsing the jungle gym. Araki does not teach or disclose collar fastening means as claimed.

Accordingly, Claims 1, 2, 4, 14 and 15, as amended, are not anticipated by Araki since Araki does not teach or suggest “wherein at least one section of the apparatus can be orientated relative to a first section such that a new exercise can be carried out as defined by new relative positioning of the elongate sections by a collar fastening means, wherein said collar fastening means comprises a collar portion arranged and configured to slide over an elongate section, and the collar fastening means includes locking means to removably retain the collar portion at a desired position on said elongate section, the collar fastening means further comprising biasing means arranged and configured to bias the locking means to a locked configuration,” as recited in Claim 1, as amended. Therefore, Claims 1-6 and 9-18, as amended, are in condition for allowance. Reconsideration is respectfully requested.

CONCLUSION

In view of the above amendments and remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

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